IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 4270 of 2005

Between:

1 K. Yadaiah S/o Narasimha,
R/o Chengmul Village, Pudur Mandal, Ranga Reddy District.
2 Ch. Nagesh S/o Chennaiah
R/o Pordur Village, and Mandal, Ranga Reddy District
3 N. Devi Reddy S/o Malla Reddy
r/o Subashnagar, Siddepet, Medak District.
4 G. Sathaiah S/o Mallaiah
R/o Venkateswararanagar, Nallavely, Yacharam Mandal Ranga Reddy District.
5 Md. Pasha Miya S/o Jahangir
C/o Sharvani Enterprises IDA Nandigan, Kothur (M), Mahaboobnagar District.
6 D. Sandeed Reddy S/o Ram Reddy
R/o Gudiganpally(V), Midjil Mandal, Mahaboobnagar District.
7 Md. Akeel Ahamed S/o Maqvool Ahamed
R/o Vattem Village, mahaboobnagar, District.
8 Md. Yusuf S/o Md. Goremiya,
R/o Road No. 36 Jubleehills, Peddammagudei, Hyderabad.
9 M. Ramchandraiah S/o Kistaiah
R/o Rajevi Gandhinagar Qutubullapur Mandal, Ranga Reddy District.

..... PETITIONERS

AND

The Regional Manager, APSRTC., Hyderabad City Region, JBS. Picket Secunderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring that the action of the Respondent in not considering the petitioner candidature to the post of Driver Grade-II in Hyderabad City Region and cancelling/deleting the petitioners' names from the selected candidates list of driver posts on the ground that the petitioners did not respond to the call on news paper to work in October/November 2001 as bad arbitrary unjust unreasonable and against the principles of natural justice and consequently direct the respondent to appoint the petitioners as driver Grade-II on par with their juniors in selection list and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.P.VENKATESWAR RAO

Counsel for the Respondent: MR.V.T.M.PRASAD

The Court, at the stage of admission stage, made the following:-

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 4270 of 2005

ORDER:

Heard Sri V.T.M.Prasad, learned counsel for the petitioner and the learned Standing Counsel appearing on behalf of the respondent-Corporation.

2. In this matter, it is represented by either side that the question involved in this writ petition is squarely covered by the order of this Court in W.P.No.19873 of 2004, dated
01-11-2004.

3. Accordingly, the writ petition is disposed of, following the order passed

in the said writ petition.

4. Therefore, the respondents are directed to examine the case of the petitioners also for appointment irrespective of the fact that they failed to attend to duty during the strike period in pursuance of the paper notification given by the respondent and pass appropriate orders regarding their request for appointment in pursuance of the selection made in 2001, within two months' time from the date of receipt of a copy of this order. It is needless to mention that the impugned order shall stand set aside and it is open for the respondents to consider their case afresh as directed above. No costs.

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March 3, 2005

Kvr

To

1. The Regional Manager, APSRTC., Hyderabad City
   Region, JBS. Picket Secunderabad

2 Two C.D. Copies.